

MAR 22 2004



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TO: Prema Maria MERTZ
Art Unit: 1646
FAX: (703) 872-9306
FROM: Sheela Mohan-Peterson
DATE: March 22, 2004
RE: Docket No.: DX01341
USSN: 10/008,566
Filed: 11/08/2001
Title: MAMMALIAN CYTOKINES; RECEPTORS;
RELATED REAGENTS AND METHODS

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Melanie Lyons at (650) 496-1183

Documents attached:

1.	Transmittal	1 page
2.	Response to Restriction Requirement	3 pages

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PTO/SB/21 (03-03)

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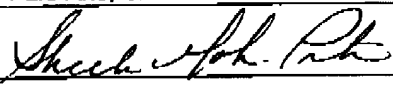
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/008,566
		Filing Date	11/08/2001
		First Named Inventor	Pedro A. RECHE-GALLARDO
		Art Unit	1646
		Examiner Name	P. Mertz
Total Number of Pages In This Submission	5	Attorney Docket Number	DX01341

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks: 1. Response to Restriction Requirement (3 pages) 2. Fax Transmittal Sheet (1 page)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Sheela Mohan-Peterson, Reg. No. 41,201 DNAX Research, Inc. 901 California Ave. Palo Alto, CA 94304-1104
Signature	
Date	22-March-2004

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Attorney Docket: DX01341

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In Re application of:

Pedro A. RECHE-GALLARDO, et al.

Application No.: 10/008,566

Filed: November 8, 2001

For: MAMMALIAN CYTOKINES;
RECEPTORS; RELATED
REAGENTS AND METHODS

Examiner: P. Mertz

Art Unit: 1646

Conf. No.: 6688

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by:


MELANIE LYONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is a response to the Restriction Requirement, dated February 20, 2004.

I. Restriction Requirement

The Examiner restricted the application into six separate inventions:

- I. Claims 22-23, drawn to a heterodimeric receptor complex comprising a polypeptide of amino acid sequence set forth in SEQ ID NO:2 and polypeptide of amino acid sequence set forth in SEQ ID NO:4, classified in class 530, subclass 350.
- II. Claims 24-26, drawn to an expression vector and a method of making a heterodimeric complex of the polypeptides of SEQ ID NO:2 and SEQ ID NO:4, classified in class 435, subclass 69.1.

- III. Claims 27-39, drawn to a a method of treatment with an agonist of IL-B50 said agonist comprising a polypeptide as set forth in SEQ ID NO:6, classified in class 514, subclass 2.
- IV. Claims 27-37, 40, and 41, drawn to a method of treatment with antagonist of IL-B50 said antagonist comprising an antibody to the polypeptide as set forth in SEQ ID NO: 6, classified in class 424, subclass 139.1.
- V. Claims 27-37, 40, and 41, drawn to a method of treatment with an antagonist of IL-B50 said antagonist comprising an anti-sense nucleic acid to the sense nucleic acid encoding the polypeptide as set forth in SEQ ID NO:6, classified in class 514, subclass 44.
- VI. Claim 42, drawn to an antibody to a heterodimeric receptor complex comprising a polypeptide of amino acid sequence set forth in SEQ ID NO: 2 and polypeptide sequence set forth in SEQ ID NO:4, classified in class 530, subclass 387.9.

Applicants provisionally elect Group II, Claims 24-26 whose claims are drawn to an expression vector and a method of making a heterodimeric complex of the polypeptides of SEQ ID NO:2 and SEQ ID NO:4, classified in class 435 , subclass 69.1, for example, as discussed in the Office Action.

Applicants will address the issue of inventorship for the elected claims and amend inventorship appropriately if the elected restriction is made final.

Applicants reserve the right to file subsequent applications claiming the non-elected subject matter and do not waive any of their rights or abandon any non-elected subject matter. Since Applicants have fully and completely responded to the Restriction Requirement and have made the required election, this application is now in order for early action.

If the Examiner believes that a telephone conference would aid the prosecution of this case in any way, please call the undersigned.

The Commissioner is hereby authorized to charge the requisite fee to DNAX Deposit Account 04-1239. Please charge any additional fees or credit overpayment to DNAX Deposit Account No. 04-1239.

Respectfully submitted,

Date: 22-March-2004

By: Sheela Mohan-Peterson
Sheela Mohan-Peterson,
Reg. No. 41,201
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